

Atty. Docket No. **281_329.02**

PTO FAX NO.: 571-273-0025
ATTENTION: Office of Patent Petitions
Group Art Unit: 2873

OFFICIAL COMMUNICATION**ATTENTION: OFFICE OF PATENT PETITIONS****CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following document(s) in re: Application of **Ervin Goldfain**, U. S. Patent Application No. 09/862,636, filed May 22, 2001 for

OLD TITLE: Eye Viewing Device Comprising Eyepiece And Video Capture Optics

NEW TITLE: Eye Viewing Device Comprising Video Capture Optics

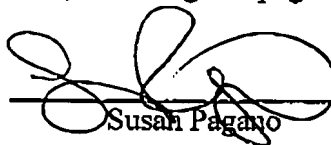
is being facsimile transmitted to the U. S. Patent and Trademark Office on the date shown below.

Document(s) Attached

1. **Petition To Withdraw From Issue After Payment of Issue Fee Under 37 CFR §1.313(c), 37 CFR §1.114 and 37 CFR §1.17(h) (2 pgs.)**

Number of pages being transmitted, including this page: 3

Dated: June 27, 2007



Susan Pagano

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-0025, on the date shown below.

Dated: June 27, 2007

Signature: 

(Susan Pagano)

Via Facsimile 571-273-0025

Docket No.: 281_329.02
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Ervin Goldfain

Application No.: 09/862,636

Confirmation No.: 1483

Filed: May 22, 2001

Art Unit: 2873

For: EYE VIEWING DEVICE COMPRISING
EYEPIECE AND VIDEO CAPTURE OPTICS

Examiner: B. N. Thomas

**PETITION TO WITHDRAW FROM ISSUE AFTER PAYMENT OF ISSUE FEE UNDER
37 CFR §1.313(c), 37 CFR §1.114 AND 37 CFR §1.17(h)**

Attention: Office of Patent Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The present petition is being filed to withdraw the above application from issue after payment of the issue fee to allow consideration of a Request for Continued Examination ("RCE") in compliance with 37 CFR §1.114. An RCE is being filed concurrently herewith to allow consideration and entry of an Information Disclosure Statement. Under 37 CFR §1.313(c) a petition to withdraw an application from issue after payment of an issue fee should be granted under 37 CFR §1.313(c) to allow consideration of an RCE under 37 CFR §1.114. The present petition is a re-file of a petition dated June 19, 2007. The petition was dismissed as not being filed concurrently with a Request for Continued Examination.

At the time of payment of the issue fee on April 24, 2007 applicant filed a substitute specification to reformat the application without adding new matter.

If the Patent Petition Office believes that contact with applicant's attorney would

Application No. 09/862,636
Petition dated June 27, 2007

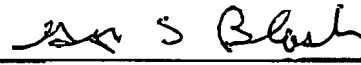
Docket No.: 281_329.02

be advantageous toward the disposition of this case, the Office is herein requested to call applicant's representative at the phone number listed below.

The Commissioner is hereby authorized to charge any fees associated with this communication to deposit Account No. 50-0289.

Dated: June 27, 2007

Respectfully submitted,

By 

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GSB/slp